

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FRANK E. VOTH,

Plaintiff,

v.

2:12-cv-1156-HO

R. COURSEY, et al.,

Defendants.

ORDER DENYING APPLICATION
TO PROCEED IN FORMA PAUPERIS

HOGAN, District Judge.

Plaintiff, an inmate in the custody of the Oregon Department of Corrections, moves to proceed *in forma pauperis* (#1). Plaintiff's application is incomplete in that it does not include the required certificate from an authorized officer of the institution certifying whether plaintiff has any money on account. Accordingly, the application (#1) is denied.

Plaintiff is advised that Pursuant to the Prison Litigation Reform Act, 28 U.S.C. § 1915(b)(1), a prisoner proceeding *in forma pauperis* is required to pay the full filing fee of \$350.00 when funds exist. Thus although indigent prisoners may be allowed to proceed without the pre-payment of the filing fee, they are liable

for payment of the entire fee.

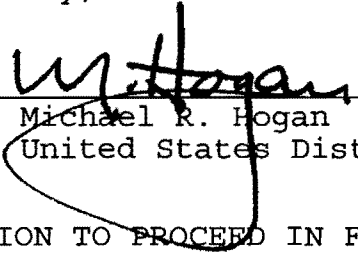
If plaintiff authorized the payment of the fee on the application provided by the Clerk of Court he will be obligated to make monthly payments of 20 percent of the preceding month's income credited to his trust account. These payments shall be collected and forwarded by the agency having custody of plaintiff to the Clerk of the Court each time the amount in plaintiff's trust account exceeds \$10.00, until the filing fee of \$350 is paid in full.

Plaintiff may file an amended application within 30 days of the date of this order. The amended application must bear the Civil No. 2:12-cv-1156-HO. Plaintiff is advised that if he does not file an amended application authorizing the withdrawal of the filing fee as explained above within 30 days he will not be charged a filing fee and his case will be dismissed without prejudice.

The Clerk of the Court is directed to forward to plaintiff a form application to proceed *in forma pauperis* with this order.

Plaintiff's Motion for Temporary Restraining Order and/or Preliminary Injunction (#3) is denied without prejudice and will be re-considered at the time the amended application to proceed in *forma pauperis* is filed.

DATED this 8th day of July, 2012.



Michael R. Hogan
United States District Judge